

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal Action No.
v.	)	13-00318-02-CR-W-DW
	)	
CANDICE LOYD,	)	
	)	
Defendant.	)	

**MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on August 6, 2014. Defendant Joshua Stamps<sup>1</sup> appeared in person and with retained counsel Patrick Peters. Defendant Candice Loyd appeared in person and with appointed counsel James Brown. The United States of America appeared by Assistant United States Attorney Daniel Nelson.

***I. BACKGROUND***

On September 25, 2013, an indictment was returned charging both defendants with conspiracy to commit the crime of possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 371, and charging defendant Stamps with one count of possessing a firearm after having been convicted of a felony, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

---

<sup>1</sup>Joshua Stamps was severed from Candice Loyd in an order filed earlier today and will not be tried on the August 18, 2014, trial docket.

The following matters were discussed and action taken during the pretrial conference:

***II. TRIAL COUNSEL***

Mr. Nelson announced that he and Kathleen Mahoney will be the trial counsel for the government. The case agents to be seated at counsel table are Detective Terrence Carter and Detective Greg Mosier, Kansas City Police Department.

Mr. Brown announced that he will be the trial counsel for defendant Candice Loyd.

***III. OUTSTANDING MOTIONS***

There are currently two motions pending for ruling by the district judge: Motion in limine filed by Candice Loyd on August 1, 2014 (#73); Motion in limine filed by Candice Loyd on August 2, 2014 (#74).

***IV. TRIAL WITNESSES***

Mr. Nelson announced that the government intends to call 8 to 10 witnesses with stipulations during the trial.

Mr. Brown announced that defendant Candice Loyd intends to call 5 witnesses during the trial. The defendant may testify.

***V. TRIAL EXHIBITS***

Mr. Nelson announced that the government will offer approximately 49 exhibits in evidence during the trial.

Mr. Brown announced that defendant Candice Loyd intends to offer less than 10 exhibits in evidence during the trial.

## **VI. DEFENSES**

Mr. Brown announced that defendant Candice Loyd will rely on the defense of general denial.

## **VII. POSSIBLE DISPOSITION**

Mr. Brown stated this case is definitely for trial.

## **VIII. STIPULATIONS**

Stipulations are likely as to chain of custody, interstate nexus of firearm, and function of the firearm.

## **IX. TRIAL TIME**

Counsel were in agreement that this case will take 2 days to try.

## **X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS**

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed May 13, 2014, counsel for each party file and serve a list of exhibits he or she intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by August 6, 2014;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, August 13, 2014;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions<sup>2</sup> by or before noon, Wednesday, August 13, 2014. Counsel are requested to provide proposed jury instructions in

---

<sup>2</sup>Counsel in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the forthcoming trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn\_shawver@mow.uscourts.gov and rhonda\_enss@mow.uscourts.gov by Friday, August 15, 2014. To the extent there are disagreements to certain instructions, each attorney shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.

both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

***XI. UNUSUAL QUESTIONS OF LAW***

No further motions in limine are anticipated. There are no other unusual questions of law.

***XII. TRIAL SETTING***

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on August 18, 2014.

/s/ Robert E. Larsen  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
August 6, 2014